

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASE NO.: 1:17-cv-12487-WGY

RAOUL MARRADI,

Plaintiff,

vs.

JPC VENTURE CORP. and
WOODBURY CONSTRUCTION CO., INC.,

Defendants.

MOTION FOR ENLARGMENT OF TIME TO FILE AMENDED COMPLAINT

Plaintiff, by and through the undersigned counsel, hereby files this Motion for Enlargement of Time to File Amended Complaint, and states as follows:

1. Previously, the Court entered an Order (D.E. 18) granting Defendant's Motion for a More Definite Statement (D.E. 11).
2. Subsequently, the case was transferred to this Court for further proceedings with Magistrate Judge M. Page Kelley (D.E. 20).
3. Plaintiff respectfully requests an additional fourteen (14) days to file any amended pleading.
4. Plaintiff represents that this request is not made in bad faith, undue delay or for any other dilatory purpose.
5. Under Federal Rule of Civil Procedure 6(b), the Court is authorized to enlarge the period within which Plaintiff must file the subject document "if request therefore is made before the expiration of the period originally prescribed." Plaintiff has filed this request timely under Rule 6(b). Therefore, the Court has the authority to grant this motion pursuant to Rule 6(b), Fed.R.Civ.P.

6. By its express terms, Rule 6(b) affords a wide discretion to the Court to enlarge time periods established by the Rules of Civil Procedure or a Court order. *Woods v. Allied Concord Financial Corp.*, 373 F.2d 733 (5th Cir. 1967). Rule 6 should be applied liberally “to secure the just, speedy and inexpensive determination of every action.” Rule 1, Federal Rules of Civil Procedure; 4 Wright & Miller, *Federal Practice and Procedure*, §1165 (1969). “Pre-expiration extensions are granted routinely if they are sought in good faith and do not prejudice the adversary.” *See* Steven Baicker-McKee, William M. Janssen, and John B. Corr, *Federal Civil Rules Handbook 2014*, at 314 (West 2014).

WHEREFORE, Plaintiff respectfully requests that this motion for enlargement of time be granted.

Respectfully submitted,

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that on March 20, 2018, we electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following: L. Richard LeClair, III, Esq., and Kevin M. Cloutier, Esq.

WE HEREBY CERTIFY that on March 20, 2018, we electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system and will mail a copy of the foregoing and notice of electronic filing to the following non-CM/ECF participants: None.

By: /s/Todd W. Shulby, Esq.
Florida Bar No.: 068365